

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:**

**Nicki M. Todaro,**

**Debtor.**

**Bankruptcy No. 19-23010-CMB**

## Chapter 13

**Nicki M. Todaro,**

**Plaintiff,**

**V.**

Adversary No. 20-2035-CMB

**Wells Fargo Bank, N.A.,**

**Related to Doc. Nos. 1, 10, 11, 22,  
50, 66**

**Defendant.**

**Wells Fargo Bank, N.A.,**

**Third Party Plaintiff,**

**V.**

**PNC Bank, N.A.,**

**Third Party Defendant. :**

## ORDER

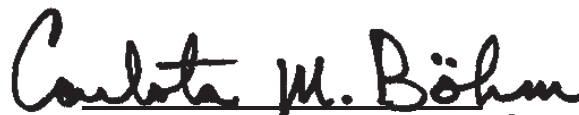
AND NOW, this **20th** day of **May, 2022**, as stated on the record at the pretrial conference held on this date in the above-captioned adversary proceeding, this Court finds that mediation is appropriate and directs mediation to occur pursuant to W.PA.LBR 9019-2.

Therefore, it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

1. The Debtor, Nicki M. Todaro; Wells Fargo Bank, N.A.; and PNC Bank, N.A. (together the “Parties”) and their counsel are ordered to participate in mediation.

2. The Parties participating in mediation must have full authority to negotiate and settle the matters.
3. The Court directs the Parties to attend mediation with the object of fully resolving all of their disputes. **Although in-person mediation is typically required, upon consultation with the mediator, alternative methods of mediation may be pursued due to the current public health issues and social distancing recommendations.**
4. The Parties are directed to cooperate in selecting a mediator from the Court's Register and scheduling mediation consistent with this Order.
5. Should the Parties fail to agree upon the selection of a mediator on or before **June 1, 2022**, the Parties shall advise the Court immediately by filing a joint motion requesting appointment of a mediator. Thereafter, the Court will appoint a mediator.
6. The Parties shall enter into a written fee/expense agreement with the mediator, which the mediator shall submit to this Court for approval on or before **June 8, 2022**.
7. The Parties shall share equally all fees and expenses of the mediator *unless* otherwise agreed. All fees and costs incurred by the mediator shall be paid on or before fifteen days following the date of receipt of the mediator's invoice.
8. Each Party is directed to come to mediation with a good faith offer of settlement.
9. Mediation shall take place no later than **July 1, 2022**. In the event additional time is required, the Parties shall seek an extension of time from this Court and advise if all Parties consent to an extension of time.
10. Willful failure to attend any mediation conference and any other material violation of this Court's Local Rules regarding mediation may result in the imposition of sanctions pursuant to W.PA.LBR 9019-4.

11. Mediation is confidential as set forth in W.PA.LBR 9019-5.
12. On or before **July 6, 2022**, Counsel for Wells Fargo Bank, *after consultation with counsel for the other Parties*, shall file a **joint** status report identifying what matter(s) have been resolved and/or narrowed and what matter(s) remain in dispute, if any. Failure to timely file the status report may result in the rescheduling of the status conference to a later date.
13. Except for mediation, all activity related to this matter is **STAYED** pending further Order of Court. This includes the filing and consideration of dispositive motions. Accordingly, the deadline for filing dispositive motions is **EXTENDED** from May 30, 2022, to **August 15, 2022**.
14. A status conference will be held on **July 15, 2022**, at **11:00 A.M.** via the Zoom Video Conference Application. At the status conference, the Court will address, *inter alia*, the outcome of mediation and how the parties intend to proceed. The status conference may be cancelled if the parties advise the Court that a settlement has been reached or additional time is requested in order to finalize a settlement.



Carlota M. Böhm **dmr**  
Chief United States Bankruptcy Judge

FILED  
5/20/22 8:06 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA